

REF CC/IM/HC

17 October 1994

The Rt Hon Lord Hope
Lord President of the Supreme Court
Parliament House
EDINBURGH

Dear Lord President

I am writing to you to draw your attention to the working of Part IV of the Social Security Administration Act 1992.

This was formerly Section 22 of the 1989 Social Security Act and allows the Department of Social Security to reclaim in full all the State benefits paid to an accident victim who has won more than £2,500 in a legal claim against their employers (and similarly in cases of public and motor liability).

The money is deducted from the award before it is paid over to the victim, and all benefits paid by a certain date are subject to being deducted - including Income Support, Unemployment Benefit, Statutory Sick Pay and Disablement Benefit.

Because of these rules, the Act can also create an unhealthy climate of the other party not rushing to settle the case and even giving them an incentive to delay.

This letter will be handed to you by a number of Trade Unions whose members have suffered from this procedure. The STUC has invited supporters of the Clydeside Action on Asbestos, and the Spinal Injuries Association and sufferers from Repetitive Strain Injury to accompany this delegation.

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The STUC is campaigning for a change in this law and I feel that you as Lord President of the Supreme Court should be made aware of how the rules work to the disadvantage of many victims of industrial diseases.

Yours sincerely

Campbell Christie

Campbell Christie
GENERAL SECRETARY